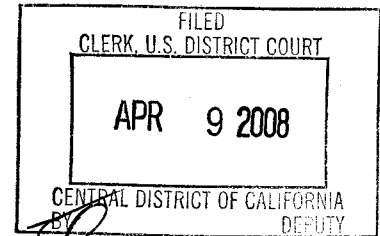


ORIGINAL

1 THOMAS P. O'BRIEN
United States Attorney
2 CHRISTINE C. EWELL
Assistant United States Attorney
3 Chief, Criminal Division
STEVEN R. WELK
4 Assistant United States Attorney
Chief, Asset Forfeiture Section.
5 MONICA E. TAIT
Assistant United States Attorney
6 California Bar Number 157311
Asset Forfeiture Section
7 1400 United States Courthouse
312 North Spring Street
8 Los Angeles, California 90012
Telephone: (213) 894-2931
9 Facsimile: (213) 894-7177
Email: Monica.Tait@usdoj.gov



10 Attorneys for Plaintiff
11 United States of America

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,) CV 07-2530 (GPS) (AJWx)
16)
17 Plaintiff,) CONSENT JUDGMENT
18)
19 v.)
20)
21 \$56,640.00 IN U.S. CURRENCY, 25))
22 MONEY ORDERS VALUED AT)
23 \$13,430.00, AND \$16,394.48 IN)
24 BANK ACCOUNT FUNDS,)
25)
26 Defendants.)
27)
28 WAYNE BLAIR,)
Claimant.)

24 The court, having reviewed the stipulation of Plaintiff
25 United States of America and claimant Wayne Blair for entry of a
26 Consent Judgment, hereby finds as follows:
27
28

1 1. Claimant Wayne Blair has asserted an interest in the
2 defendants \$56,640.00 in U.S. Currency, 25 Money Orders Valued at
3 \$13,430.00, and \$16,394.48 in Bank Account Funds (collectively,
4 "defendants").

5 2. On April 17, 2007, plaintiff United States of America
6 commenced this judicial forfeiture action by filing a Complaint
7 alleging that the defendants are forfeitable to the United States
8 pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(C).
9 Claimant Blair filed a claim and an answer to contest the
10 forfeiture.

11 3. Plaintiff has notified other potential claimants of this
12 action pursuant to Supplemental Rule G of the Federal Rules of
13 Civil Procedure. The United States published notice of this
14 action in a newspaper of general circulation for three
15 consecutive weeks on May 2, 9, and 16, 2007. No other claims or
16 answers have been filed to contest the forfeiture of the
17 defendants, and the time for filing claims and answers has
18 expired. All potential claimants to the defendants other than
19 Wayne Blair are deemed to have admitted the allegations of the
20 complaint.

21 4. Plaintiff United States of America and claimant Wayne
22 Blair have resolved all of their competing claims to the
23 defendants by their Stipulation for entry of this Consent
24 Judgment.

25 5. Based on the parties' stipulation, the court orders the
26 following disposition of the defendants:

27 a. The United States shall have judgment in the present
28 forfeiture action against the interests of Wayne Blair

1 and all other potential claimants, in all of the
2 following defendants:

- 3 (1) All of the defendant \$56,640.00 in U.S. currency
4 ("defendant currency," which is particularly
5 described at paragraphs 5(a)(i)-(iii) of the
6 Complaint); and
7 (2) All of the defendant 25 money orders valued at
8 \$13,430.00 ("defendant money orders," which are
9 particularly described at paragraph 5(b) and
10 Exhibit A of the Complaint).

11 The defendant currency and the defendant money orders
12 are hereby condemned and forfeited to the United States
13 of America. The United States Marshals Service shall
14 dispose of the defendant currency and the defendant
15 money orders in accordance with law.

- 16 b. The United States shall have judgment in the present
17 forfeiture action against the interests of Wayne Blair
18 and all other potential claimants, in the following
19 portions of the defendant \$16,394.48 in Bank Account
20 Funds ("defendant bank funds"):

- 21 (1) All of the funds seized from account no.
22 XXXXXX6973 at Union Bank of California (i.e.,
23 \$11,294.74); and
24 (2) \$99.74 of the \$5,099.74 funds seized from account
25 no. XXXXXX4754 at Union Bank of California.

26 The above-described portions of the defendant bank
27 funds are hereby condemned and forfeited to the United
28 States of America, and the United States Marshals

1 Service shall dispose of the forfeited amounts in
2 accordance with law.

3 c. The United States shall return the remaining \$5,000.00
4 of the defendant bank account funds to Wayne Blair, by
5 a check for \$5,000.00 payable to "Paul L. Gabbert
6 Client Trust Account." Not later than 30 days after
7 entry of this Consent Judgment, said check shall be
8 mailed to: Paul L. Gabbert, 2115 Main St., Santa
9 Monica, California 90405.

10 6. Except as to such rights and obligations created by
11 this judgment, claimant Wayne Blair and his attorney, Paul L.
12 Gabbert, have agreed to release and hold harmless the United
13 States, and any agents, servants, and employees of the United
14 States (or any state or local law enforcement agency), including
15 without limitation the Drug Enforcement Administration, acting in
16 their individual or official capacities, from all claims, actions
17 or proceedings, including, but not limited to, any claim for
18 attorney's fees and/or costs, or interest, which may hereafter be
19 asserted or brought by Blair or on his behalf which arise out of
20 the present action.

21 7. Each party shall bear its own costs of litigation and
22 attorney's fees. Each has party waived its right to appeal. The
23 Court's entry of this Consent Judgment constitutes a certificate
24 of reasonable cause pursuant to 28 U.S.C. § 2465(a)(2).

25 8. The Court retains jurisdiction over this case and the
26 parties hereto to effectuate the terms of this settlement.
27
28

1 9. The clerk shall forthwith enter this judgment, which
2 constitutes a final judgment resolving this matter.

3 IT IS SO ORDERED.

4 DATED: 4/9/08

George P. Schiavelli
5 THE HONORABLE GEORGE P. SCHIAVELLI
6 United States District Judge

7 PRESENTED BY:

8 THOMAS P. O'BRIEN
9 United States Attorney

10 by:

Monica E. Tait
11 MONICA E. TAIT
12 Assistant United States Attorney
Attorney for plaintiff
United States of America

13 and by:

Paul L. Gabbert
14 PAUL L. GABBERT
15 Attorney for claimant
Wayne Blair